

BOARD MEMBERS

Robert E. Thomas

Chairperson
Council District 5

Debra T. Walker

Vice Chairperson
Council District 6

Robert G. Weed

Council District 1

Vivian Teague

Council District 2

Elois Moore

Council District 3

Michelle L. West

Council District 4

Anthony Sherman

Council District 7



City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 212
Detroit, Michigan 48226
Phone: (313) 224-3595
Fax: (313) 224-4597
Email: boardofzoning@detroitmi.gov

JAMES W. RIBBRON

Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON
APRIL PUROFOY
DEJA SAMMONS

REGULAR MEETING OF FEBRUARY 22, 2022

Pursuant to the City of Detroit Health Department Emergency Epidemic Order in Response to the COVID-19 Pandemic Per MCL 333.2453, Declaration of Continued Emergency Due to COVID-19, to Extend Remote Public Access to Open Meetings and Prohibit Gatherings at Meetings that Risk the Personal Health and Safety of Members of the Public and Public Bodies, effective from January 1, 2022 to March 31, 2022, the City of Detroit, Board of Zoning Appeals (BZA) will be:

IN-PERSON AT DETROIT PUBLIC SAFETY HEADQUARTERS, 1301 3RD AVE., DETROIT, MI 48226

VIRTUAL ATTENDANCE IS STRONGLY ENCOURAGED.

As pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are NO additional opportunities for public viewing within the building. For the safety of attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

1. In person. Please be advised due to COVID restrictions the space is limited to 15 people. Petitioners will be given first preference. Once the limit is reached you will not be allowed to enter the building.
2. The Board of Zoning Appeals Hearings may be viewed in the following manner.
Join Zoom Meeting
<https://cityofdetroit.zoom.us/j/84422726457>
Meeting ID: 844 2272 6457
Dial by your location
+1 267 831 0333 US (Philadelphia)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 213 338 8477 US (Los Angeles)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

PUBLIC COMMENT ZOOM / IN-PERSON MEETINGS:

Public Comment Zoom:

1. Telephone participants: Raise your hand by pressing *9
2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
 - a. Windows computer = [ALT] + [Y]
 - b. Apple computers = [OPTION] + [Y]

Public Comment In-Person:

- You will be called on in the order in which your hand is raised, a public comment sign-in card will be issued.
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the BZA Office **IN ADVANCE OF THE HEARING:**

<https://app.smartsheet.com/b/form/f8a9187464f4464689094092a1952bc8>

(You can also email the department at the link below for the smartsheet link)
via smartsheet, or email to BOARDOFZONING@DETROITMI.GOV for the record.

PLEASE SEE THE LINK BELOW TO REVIEW THE BOARD OF ZONING APPEALS CALENDARS:

<https://detroitmi.gov/government/boards/board-zoning-appeals/board-zoning-appeals-meetings>

DOCKET

- I. **OPENING:**
 - A. **CALL TO ORDER.....9:00 A.M.**
 - B. **ROLL CALL**
- II. **PROCEDURAL MATTERS – Board Election – Election of Officers for 2022.**
- III. **MINUTES:**
 - A. **APPROVAL OF MINUTES: February 15, 2022**
- IV. **COMMUNICATIONS:**
- V. **MISCELLANEOUS BUSINESS:**
- VI. **PUBLIC HEARING**

9:15 a.m. **CASE NO.:** 77-21 (aka SPR2021-00022 & SPR2021-00023)

APPLICANT: Timothy Flintoff

LOCATION: 7636, 7640, 7652, 7656 Kipling and 7639 & 7647 N. Poe
between Kercheval and St. Paul in a R5 - (Medium Density Residential District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Timothy Flintoff request variances for the proposed use of “townhouses” is a by-right use in a R3 zoning district. However, per Section 50- 14-113 (“Applicability”) as a total of 12 townhouse units are being constructed APPROVED w Conditions in BSEED Case No: SLU2020-00018 effective date March 31, 2021 in a R3 Zone (Low Density Residential District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. Per Section 50-13-4 R3 District, townhouses the following dimensional variances shall be obtained by the applicant from the Board of Zoning Appeals prior to issuance of building permits: a) Townhouses, deficient Front Setbacks: 20’ required; 11’ .89” proposed, 8’.11”(both buildings); and 2) Deficient Lot Area: 7,000 sq./ft., required, 5,280 sq./ft. provided (Poe addresses) and 5,100 sq./ft. (Kipling addresses), 1,720 sq./ft. (Poe addresses) and 1,900 sq./ft. (Kipling addresses) deficient, respectfully; and 3) Deficient Lot width: 70’ required, 44’ provided (Poe address only); and 4) Per Section 50-13-186 (‘Minimum townhouse lot width’), in the R2, R3, and R4 Districts, each individual townhouse shall be a minimum of 2,000 square feet of lot area and 20 feet in width; On the preliminary plans, a twenty foot (20’) wide, open north-south public alleyway between Poe and Kipling will be used for vehicular access, thus the alleyway will either need to be vacated or the applicant shall obtain a maintenance agreement from the Department of Public Works at time of permit application, and provide proof of lot combination for 7652 & 7656 Kipling at time of permit submission. Sections 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria. AP

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.

This Meeting is open to all members of the public under Michigan's Open Meetings Act

-3-

**FEBRUARY 22, 2022
DOCKET CONTINUED**

10:15 a.m. CASE NO.: 70-21 (aka SLU2020-00018)
APPLICANT: Davison Factory, LLC
LOCATION: 6401 E. Davison St. between Sherwood St. and mt. Elliott St. in a M4 Zone - (Intensive Industrial District).-City Council District #3
LEGAL DESCRIPTION OF PROPERTY: N DAVISON BLK 29 AND VAC ST AJD EXC DEPOT GRND AND EXC TRIANG PT BG S 60 FT ON E LINE & E 4.5FT ON S LINE VILLAGE OF NORRIS L3 P30 PLATS, W C R 15/197 156,976 SQ FT
PROPOSAL: Davison Factory, LLC request variances to Establish a Medical Marihuana Grower Facility (MMGF) and a Medical Marihuana Processor Facility (MMPF) in an existing 56,560 square foot building APPROVED w Conditions in BSEED Case No: SLU2020-00018 effective date March 31, 2021 in a M4 Zone (Intensive Industrial District). This case is appealed because The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. That the applicant obtains a dimensional variance for excessive building footprint from the Board of Zoning Appeals, before a building permit is obtained; 56,560 square feet proposed, 50,000 square feet permitted and 6,560 square feet excessive. That a building permit for the accessory parking lot located on 17249 Filer must be obtained. AP

- VII. PUBLIC COMMENT / NEW BUSINESS**
Next Hearing Date: March 8, 2022
- VIII. ADVISEMENTS / OLD BUSINESS**
- IX. MEETING ADJOURNED**